

MINUTES OF THE
ASSESSING STANDARDS BOARD
RULES SUB-COMMITTEE

Approved as Written

DATE: October 3, 2016

TIME: 9:00 a.m.

LOCATION: NH Dept. of Revenue, 109 Pleasant Street, Concord, NH.

COMMITTEE MEMBERS:

Loren Martin, Chairman
Robert Gagne
Betsey Patten ~ *Absent*
Stephan Hamilton, DRA

Mary Pinkham-Langer, DRA
Len Gerzon ~ *Absent*
Marti Noel
Todd Haywood ~ *Absent*

Proposed Changes

Ms. Mary Pinkham-Langer advised that she had renumbered all the definitions. She discussed other changes and general "cleanups" that had been discussed in prior meetings. On page 4, she talked of "equivalency" for equivalent work experience and meeting DRA criteria and making the change throughout so they are consistent. Mr. Bob Gagne commented on "equivalent education", work experience in real estate appraisals for non-assessing purposes or in other assessing jurisdictions as detailed in (a) above". Discussion followed on "detailed on (a) above". Ms. Pinkham-Langer covered changes on Assessor Assistant as well. She then spoke of requirements of a Property Assessor Supervisor - verification of experience. She also explained changes in order, such as with continuing education and "defend the values" coming after experience.

A discussion followed on BTLA exposure, whether testifying or arguing a case, documentation/verification of experience and the difficulty in obtaining the experience and wording for (5) a, b, c and d. (303.06). The discussion then turned to "expert testimony" and "expert witness" and qualifications/credentials of being an expert witness. Mr. Steve Hamilton cautioned against wording being too limiting and constricting. He suggested a form by the BTLA that would have the case and the docket number etc. The members then discussed "testimony" and how it would be qualified (by the NH DRA) etc.

The members then discussed (under measurer & lister) building inspector, engineer, collecting relevant information and wording for "work in a similar field"....

The meeting turned back to page 8 and "combining the duties" for the requirements and Ms. Pinkham-Langer commented on Ms. Betsey Patten's concern on whether or not JLCAR would accept. It was decided they would be kept separate, but Ms. Pinkham-Langer referred to requirements (page 4) and "*d. Understand the duties of a DRA-certified building measurer and lister as specified in Asb 304.01*" etc. Mr. Hamilton spoke of re-numbering and "footnoting forever".

Mr. Gagne inquired if there would be a draft exposed before the meeting on October 28th so the assessors can see. Chairman Loren Martin replied language still needs to be worked on by Mr. Hamilton and Ms. Pinkham-Langer, then maybe just to the subcommittee first for feedback/comments, finalize it and then she hoped to get it out to the public as well as the full board individually. A discussion followed on the above for order of completion etc.

Ms. Pinkham-Langer then spoke of page 9 and duties and confirmed changes under 304.01 etc. She clarified Asb 305 Continuing Education changes. She moved on to Asb 306.01 certification or recertification and spoke of the "form" addition. A long discussion then followed regarding resubmitting documentation of the requisite courses and adding "previously supplied" as suggested by Ms. Marti Noel.

Asb 307.01 re: charge of misconduct, Ms. Pinkham-Langer clarified ethical standard, law or rule being violated etc. A quick discussion followed regarding Ms. Noel's comment on authority and definition of ethics etc. Ms. Pinkham-Langer went over Asb 307.02 regarding types of misconduct "(b) *Unsworn falsification in procuring, or attempting to procure, DRA certification, or recertification*" and (f) regarding the practice of sale chasing etc. She advised she obtained this from the Equalization manual and felt it should be included. A discussion followed regarding sale chasing and non-compliance with an individual's right to know pursuant to RSA 91-A etc.

Ms. Pinkham-Langer next went over changes to Asb 308 regarding bad faith 5 years vs 2 years and deceit/fraud and unsworn falsification etc. Mr. Hamilton briefly talked of the matrix: suspensions, decertifications and disciplinary actions, leaving the minimum undefined etc. He advised there is a matrix but the "bottom end is undefined". He referred to Asb 308.13 and explained. Ms. Noel spoke of her concerns on Asb 308 regarding individual vs. a board and 308.14 (b). She and Mr. Hamilton discussed with Mr. Gagne also commenting.

A discussion followed regarding appeal rights and procedures for decertification etc.

Respectfully submitted,

Elizabeth McGill

NH Department of Revenue Administration – Municipal and Property Division

Documentation relative to the Assessing Standards Board may be submitted, requested or reviewed by:

Telephone: (603) 230-5967

Facsimile: (603) 230-5947

Web: www.revenue.nh.gov

E-mail: asb@dra.nh.gov

In person at:

109 Pleasant Street, Concord, NH

In writing to:

NH Department of Revenue

Assessing Standards Board

PO Box 487

Concord, NH 03302-0487